

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 13277 of 2005

Between:

Komati Srinivasa Rao, S/o.Venkata Rao,
R/o.I.Pangidi ,Kovvur Mandal, W.G.District.

..... PETITIONER

AND

1 District Collector & Chairman, SET WEL, W.G.district, Eluru.
2 The Mandal Revenue Officer, Kovur, W.G.district.
3 The Chief Executive Officer, SET WEL, W.G.district, Eluru.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ more particularly one in the nature of writ of mandamus to set aside proceedings No.205/E.M.E.Y/02-03, dt.31-5-2005 issued by the 1st respondent by cancellation of e-seva Center given to the petitioner and further direct the respondents to continue the e-seva Center at Kovur and pass such other order or orders.

Counsel for the Petitioner: MR.V.DURGA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORAL ORDER:

Challenging the proceedings No.205/E.M.E.Y/02-03, dt.

31-5-2005 issued by the 1st respondent cancelling the e-Seva Center given to the petitioner and for a consequent direction to the respondents to continue the e-Seva

Center at Kovvur, petitioner filed this writ petition.

The facts go to show that pursuant to the application made by the petitioner and others to the respondents, e-Seva center was allocated to the petitioner and that the petitioner was running the said center. It is the further contention of the petitioner that the third respondent issued a notice dated 23.3.2005 to the association of petitioner contending that the petitioner was not running the said e-Seva Center and the margin money and installments are not being paid regularly. The petitioner submitted a detailed explanation and in pursuance of the undertaking given in that explanation, he paid Rs.41,496/- in two installments. It is his further contention that in spite of the payments he made, the third respondent issued the impugned proceedings dated 31.5.2005, cancelling the e-Seva center allocated to the petitioner association and ultimately locked the said Center. Hence the writ petition.

Heard the learned counsel for the petitioner. Perused the material placed before me.

Prima facie, I am not inclined to stay the operation of the impugned order. However, having regard to the facts and circumstances of the case, and since the petitioner has paid Rs.41,496/- to the respondents, pursuant to the notice issued by the respondents, I deem it appropriate to direct the petitioner to make an application to the District Collector Respondent for reconsideration of the impugned proceedings and upon such any application being made by the petitioner, it is for the I respondent whether to revoke the impugned proceedings or to pass any appropriate orders thereon.

With the above directions, the writ petition is disposed of at the stage of admission.

No costs.

kvsn 21-06-2005

To

1 District Collector & Chairman, SET WEL, W.G.district, Eluru.

2 The Mandal Revenue Officer, Kovur, W.G.district.

3 The Chief Executive Officer, SET WEL, W.G.district, Eluru.

4 Two CCs to GP for Revenue, High Court buildings, Hyderabad.

5 Two CD copies.